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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,280	11/09/2005	Mikael Hakansson	1544-1001	5068

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EXAMINER

ROYER, WILLIAM J

ART UNIT	PAPER NUMBER
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2852

MAIL DATE	DELIVERY MODE
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11/01/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/531,280

Applicant(s)

HAKANSSON, MIKAEL

Examiner

William J. Royer

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,8,9 and 11-13 is/are rejected.
- 7) ☒ Claim(s) 3,5-7 and 10 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>20050714; 20060710; 20060712</u> | 6) <input type="checkbox"/> Other: ____ |

Drawings

The drawings are objected to because of the following informalities:

In Figure 3, no reference numerals have been provided to identify the elements that are described in the specification. A reference numeral "7" and a corresponding lead line should be added to the figure in order to identify the "bottle" described in the specification. Further, reference numeral "4" and a corresponding lead line should be inserted in the figure in order to identify the "receptacle" that is described in the specification.

In Figure 4, no reference numerals have been provided to identify the elements that are described in the specification. A reference numeral "8" and a corresponding lead line should be added to the figure in order to identify the "drum" described in the specification and a reference numeral "9" and a corresponding lead line should be added to the figure in order to identify the "hose" described in the specification. Further, reference numeral "4" and a corresponding lead line should be inserted in the figure in order to identify the "receptacle" that is described in the specification.

In Figure 5, no reference numerals have been provided to identify the elements that are described in the specification. A reference numeral "10" and a corresponding lead line should be added to the figure in order to identify the "foiled carton" described in the specification. Further, reference numeral "4" and a corresponding lead line should be inserted in the figure in order to identify the "receptacle" that is described in the specification.

In Figure 8, insert reference numeral "5" and a corresponding line and arrowhead, similar to that which was used in Figures 6 and 7, in order to identify the "feeding device" described in the specification.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The disclosure is objected to because of the following informalities:

On page 1, lines 12-13, change "with the toner that constitutes the print on the sheet" to --- with a toner that constitutes print on a sheet ---.

On page 1, line 24, change "is it too work demanding" to -- it is too much work --.

On page 2, line 1, change "a least" to --- at least ---.

On page 3, line 10, change "so solve" to --- to solve ---.

On page 3, lines 10-11, change "by a device according to the patent claim 1," to - -- by a device, ---.

On page 3, line 15, change "packages" to --- cartridges ---.

On page 3, line 17, before "cartridge" insert --- toner ---.

On page 3, line 29, change "mechanic" to --- mechanical ---.

On page 4, line 2, change "mechanic" to --- mechanical ---.

On page 4, line 4, "flying about at a possible leakage" should be rewritten in a more grammatically correct form.

On page 5, line 6, change "cle/drum" to --- cle, a drum ---.

On page 5, lines 16 and 17, after "receptacle" insert --- (4) ---.

On page 5, line 21, delete --- toner ---.

On page 5, line 23, after "device" insert --- (5) ---.

On page 5, line 24, "PET-bottle" insert --- (7) ---.

On page 6, lines 1-3, after each occurrence of "bottle" insert --- (7) ---.

On page 6, line 2, change "made by" to --- made with ---.

On page 6, lines 3, 6-7, 8, 9, 10-11, 11, 12, 14-15, after each occurrence of "receptacle" insert --- (4) ---.

On page 6, line 4, after "cartridges" insert --- (2) ---.

On page 6, lines 7 and 9, after "drum" insert --- (8) ---.

On page 6, line 8, after "hose" insert --- (9) ---.

On page 6, lines 11 and 13, after "carton" insert --- (10) ---.

On page 6, line 21, delete --- toner ---.

On page 6, line 25, after "passage" insert --- (26) ---.

On page 6, line 30, delete --- (2) ---.

On page 6, lines 30 and 31, after "wheel" insert --- (32) ---.

On page 6, line 31, before "wheel" insert --- rear ---.

On page 6, line 32, before "belt" insert --- conveyor ---.

On page 7, lines 2 and 10, delete --- (2) ---.

On page 7, line 9, change "a plate" to --- the plate (40) ---.

On page 7, line 9, change "opening (24)" to --- passage (26) ---.

On page 7, lines 13-14, 18, 22-23, 26, 27-28 and 28, after "apparatus" insert ---
(1) ---.

On page 7, lines 15, 30 and 31, before "cartridge" insert --- toner ---.

On page 7, line 16, change "mechanism" to --- device ---.

On page 7, line 17, change "mechanism" to --- device (5) ---.

On page 7, line 18, after "cartridge" insert --- (2) ---.

On page 7, line 19, after "receptacle" insert --- (4) ---.

On page 7, line 21, change "cartridges" to --- toner cartridges (2) ---.

On page 7, lines 22 and 27, change "device" to --- feeding device (5) ---.

On page 7, lines 24 and 25, after "conduit" insert --- (6) ---.

On page 7, line 28, "it makes part as an" should be rewritten in a more grammatically correct form.

On page 8, lines 2 and 6, change "device" to --- feeding device (5) ---.

On page 8, lines 3, 6-7 and 7-8, after each occurrence of "apparatus" insert --- (1) ---.

On page 8, line 7, after "cartridge" insert --- (2) ---.

On page 8, line 10, change "example" to --- examples ---.

Appropriate correction is required.

The abstract of the disclosure is objected to because of the inclusion of legal phraseology, i.e., comprising; comprises. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4, 8, 9, and 11-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Vollenbroek. Referring to Figure 1, Vollenbroek discloses a transport device for feeding developer powder (i.e., toner powder) to a powder mixing section (i.e., toner container) of a developing device of a copier (i.e., manifold apparatus). The device for feeding developer powder includes a cylindrical reservoir 1 (i.e., receptacle), a spiral powder transport spring 13 (i.e., feeding device; conveying screw), and a transport tube 10 (i.e., delivery conduit) in communication with the reservoir for feeding developer powder from the reservoir to the powder mixing section of the developing device. It is disclosed that the reservoir is capable of being fixed (i.e., exchangeable) by a strap 3 in a copier at a place which can be distant from the developing device contained in the copier. Further, the top of the reservoir is provided with a closable filling aperture for filling the reservoir with developer powder from a transport packing (i.e., PET-bottle).

Allowable Subject Matter

Claims 3, 5-7 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Relevant Prior Art

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Livadas et al disclose an apparatus and method for agitating toner in a container to facilitate toner dispensing in a printer.

Tsuda et al disclose a powder transport apparatus.

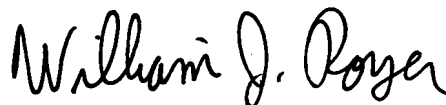
Itoh et al disclose a toner refilling device.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Royer whose telephone number is (571) 272-2140. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David M. Gray can be reached on (571) 272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



William J. Royer
Primary Examiner
Art Unit 2852

wjr
October 27, 2007